

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

In the Matter of

Petition of Qwest Corporation
To Provide Operator-Assisted Reverse
Directory Assistance Service and for
Waiver of any Comparably Efficient
Interconnection Requirements
That the Commission Might Deem Applicable

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) **FEDERAL COMMUNICATIONS COMMISSION**
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PETITION FOR WAIVER

Qwest Corporation ("Qwest") hereby petitions the Federal Communications Commission ("Commission") for authority to provide operator-assisted Reverse Directory Assistance ("RDA") Service. Qwest requests a waiver of any Comparably Efficient Interconnection ("CEI") requirements that the Commission might deem applicable in order for Qwest to provide such service.

I. SERVICE DESCRIPTION AND BACKGROUND

Qwest currently has authority to offer electronic RDA capability pursuant to a waiver granted by the Commission for electronic white pages.¹ The reverse search capability allows an end user to match a telephone number with a customer name and address, as opposed to traditional directory assistance ("DA"), which allows an end user with a customer name to find a telephone number.

In this Petition, Qwest requests an extension of the waiver previously granted for electronic RDA Service to include operator-assisted RDA Service so that Qwest can provide the same information to callers seeking to match a telephone number with a customer name and

¹ In the Matter of US West Communications, Inc. Petition for Computer III Waiver, Order, 11 FCC Rcd. 1195 (1995).

address by calling DA as it does to those interacting electronically with a DA database. The difference in the offerings would be that in an operator-assisted RDA context, the customer name and address information would be obtained by the caller from a DA operator rather than made available to the inquiring party through an electronic transmission.

The Commission previously granted forbearance from the Section 272 separate affiliate requirements for operator-assisted RDA Service to BellSouth.² It is no longer necessary, however, to seek such forbearance since, on February 8, 2000, the ban on the Bell Operating Companies' offering interLATA information services expired.³ To the extent the Commission determines that there are any other Orders or rules that would prevent or affect Qwest's proposed provisioning of this service, Qwest requests that those Orders or rules be waived to allow us to provide operator-assisted RDA Service.

The grounds for granting Qwest's requested relief are essentially the same as those the Commission found in granting BellSouth's petition for relief from the Section 272 requirements. There the Commission relied on the existence of competitive alternatives; the fact that BellSouth would be unlikely to offer the service without the forbearance grant; and that the public interest would be served by providing consumers another option and doing so without delay.⁴ The same reasons apply equally with respect to Qwest's request for a waiver.

² In the Matter of Bell Operating Companies Petition for Forbearance from the Application of Section 272 of the Communications Act of 1934, As Amended, to Certain Activities, Memorandum Opinion and Order, 13 FCC Rcd. 2627 (1998) ("BellSouth Waiver Order").

³ In the Matter of Request for Extension of the Sunset Date of the Structural, Nondiscrimination, and Other Behavioral Safeguards Governing Bell Operating Company Provision of In-Region, InterLATA Information Services, Order, 15 FCC Rcd. 3267 (2000).

⁴ BellSouth Waiver Order, 13 FCC Rcd. at 2671 ¶¶ 95-96.

II. PUBLIC INTEREST BENEFITS

The public interest benefits of providing reverse search information were recognized over a decade ago by the United States District Court for the District of Columbia in granting a waiver to Ameritech allowing it to continue to provide such service.⁵ Consumers want and desire such information in order to fully utilize their basic telecommunications services and satisfy their business needs.⁶ For example, a paging service customer receiving a page may want to know the name of the person initiating the page before returning the call. Operator-assisted RDA will provide that customer with a valuable method to obtain that information. Similarly, a customer, while traveling, may not have the ability to go online to retrieve such information and, for that customer, operator-assisted RDA Service would prove useful as well.

As the Commission is well aware, DA Services are available for resale and directory listings are available to carriers and -- in many cases -- to independent DA providers. The same will be true with respect to reverse search capabilities. Competitive local exchange carriers ("CLEC") can have DA calls custom-routed by Qwest to the CLECs' platform or their DA provider's platform, where they too can provide RDA service.⁷

⁵ United States v. Western Electric Co., Inc., 1989 U.S. Dist. LEXIS 5156; 1989-1 Trade Cas. (CCH) P68, 433 (Feb. 6, 1989).

⁶ See, e.g., Nevada Bell, et al., Petition for Waivers and/or Forbearance, filed Mar. 30, 2000 at n.5 ("when faced with the prospect of losing the reverse search functionality of SWBT's DirectLine Custom product, a number of customers wrote the Commission urging it to retain SWBT's reverse search product because of its importance to their services and businesses. Such customers included a city-owned utility, a police department, a county government, a bank, insurance investigators, and other firms.").

⁷ In the Matter of Implementation of the Local Competition Provisions of the Telecommunications Act of 1996, Third Report and Order and Fourth Further Notice of Proposed Rulemaking, 15 FCC Rcd. 3696, 3708 (1999) ("Incumbent LECs are not required to unbundle their OS/DA services pursuant to section 251(c)(3), except in the limited circumstance where in incumbent LEC does not provide customized routing to a requesting carrier to allow it to route traffic to alternative OS/DA providers.").

Moreover, it is clear that the DA listings available to other DA providers are already being used to provide RDA Service. Operator-assisted RDA Service is already available from other companies, such as, AT&T, who offers RDA Service under the product name “00” Info. Besides AT&T, other companies providing the service include Cincinnati Bell (“All In One 411”), Metro One and Excel Agent Services. The same or similar information is also available from a number of Internet sites.⁸ Qwest will be just another source of the information providing it through a different means; all of which serves the public interest by giving consumers more choices.

Another reason to permit Qwest to provide this information through DA is that it is incremental to the information currently provided by DA operators and can be provided efficiently and quickly by Qwest’s directory assistance operators utilizing existing databases.⁹ Consumers should not be denied the benefits of these efficiencies, particularly when there are other providers and alternatives.

III. WAIVER REQUEST

Qwest submits that there is good cause for a waiver of the Commission’s CEI requirements for the provision of operator-assisted RDA Service. In addition to the public interest benefits enumerated above, literal compliance with CEI would likely delay and could potentially prevent Qwest from offering this service. Operator-assisted RDA Service cannot be economically offered as a stand-alone service. It is only feasible to offer the service as a complement to Qwest’s existing DA Services using the same databases and the same DA

⁸ See, e.g., <http://www.411locate.com/>; <http://www.infospace.com/>; <http://www.telephonedirectory.com/>; <http://whitepages.com/>; www.worldpages.com; www.qwestdex.com.

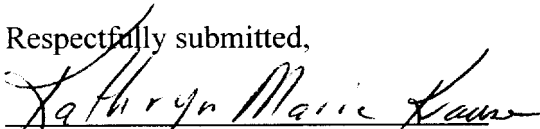
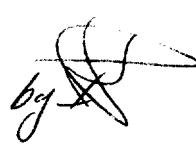
⁹ DA and RDA Services are complementary and can be provided from the same databases.

operators.¹⁰ Consumer acceptance of the RDA Service would also be adversely affected by the delays in provisioning of both operator-assisted RDA and traditional DA information, if such information is provided in a manner that complies with the requirements of CEI.¹¹

Enforcement of the CEI requirements is simply not necessary. In fact, enforcement of the CEI requirements would likely result in a situation where Qwest -- unlike most other DA providers -- would be unable to offer this service to consumers, thus reducing competition and consumer choice.

IV. CONCLUSION

Qwest seeks an extension of the CEI waiver previously granted to provide Electronic RDA Service to include authority to provide operator-assisted RDA Service.

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¹⁰ Qwest believes it is not feasible to offer RDA Service in any other way, and that offering the service through a different channel would be redundant and overly expensive.

¹¹ Examples might include reading off a list of available providers, using voice prompts to select a provider, and/or using different operators to provide the reverse search information. Consumers would be inconvenienced by such requirements, and would be unlikely to use the service. Moreover, enhanced service providers are not likely to want to provide a stand-alone reverse search service and, for that reason, also, it would be unreasonable to impose those requirements on Qwest's provision of operator-assisted RDA Service.

CERTIFICATE OF SERVICE

I, Kelseau Powe, Jr., do hereby certify that on the 8th day of June, 2001, I have caused the original and four copies of the foregoing **PETITION FOR WAIVER** to be served, via hand delivery, on the Secretary of the Federal Communications Commission and a copy to its contractor International Transcription Services, Inc.



Kelseau Powe, Jr.